

Application No.: 10/055,545

Docket No: JCLA6997-R

REMARKS**Present Status of the Application**

The Office Action rejected all presently-pending claims 1-16. Specifically, the Office Action rejected claims 1-16 under 35 U.S.C. 103(a), as being unpatentable over Kim et al. (U. S. Patent 6,424,396) in view of Ikeno et al. (U. S. Patent 6,008,875). Applicants have amended claim 10 to correct typographic errors. Reconsideration of those claims is respectfully requested.

Amendments

Applicants have amended claims to recited that the slit and protrusions are only formed on one substrate 30 but not on the opposite substrate, as described in particularly FIGs. 7-8. Now new matter adds by this way of amendments.

Application No.: 10/055,545

Docket No: JCLA6997-R

Discussion of Office Action Rejections

The Office Action rejected claims 1-16 under 35 U.S.C. 103(a), as being unpatentable over Kim et al. in view of Ikeno et al.. Applicants respectfully traverse the rejections for at least the reasons set forth below.

As discussed in previous Response, the multi-domain of the invention is formed by using the protrusions and the slits on the first substrate but not on the second substrate, as shown in FIGs. 7 and 8. The second substrate does not used to form the multi-domain. This can prevent the conventional issues of misalignment [0031].

First, in Figs. 2 and 3 of Kim et al., *the domain is formed by using the aperture pattern P2 in the second substrate 20 with the aperture pattern P1 in the first substrate 10*. The present invention forms the domains by using the protrusions and the slit on the first substrate. This feature recited in claimed invention is distinguishable over the prior art references.

Second, particularly to Fig. 3 of Kim et al., the step structure is used to cause the quick response to the generated electric field. The LC molecules are not starting a planar surface. Kim et al. *indeed need the non-planar step structure*. Kim et al. also show the different mechanism to rotate the LC molecules due to the step structure.

The Office Action then cites Ikeno et al. to supply the leveling layer. However, it is respectfully believed that the hindsight and improper interpretation have been involved.

Application No.: 10/055,545

Docket No: JCLA6997-R

As discussed above, Kim et al. indeed need the non-planar step structure to have the desired function. A planar layer is not expected by Kim et al..

The present invention proposed the planar dielectric layer is providing the uniform starting level for the liquid crystal molecules.

In re Ikeno et al., even though the leveling layer 9 is used to planarize the uneven surface. The uneven surface is used to only allow the frequency component of the light in a specified direction to pass through the polarization plate 4 (col. 4, lines 31-35). Ikeno et al. is nonanalogous to the present invention and Kim et al. on the concerning issues and failed to specifically teach or suggest to modify Kim et al. into the claimed invention about the step structure of Kim being planarized by the leveling layer.

Therefore, the second reference (Ikeno et al.) is indeed not teaching suggesting the missing feature in Kim et al. Particularly, the leveling layer of Ikeno et al. would remove the step structure. According to Kim et al., Ikeno et al. would destroy the effect in Kim. Et al. And this strongly implies that Ikeno et al. (2nd refemce) does not teach or suggest to modify Kin et al.

Also and, Applicants respectfully remind that the hindsight should not be involved, and the reference should not be construed with extra results by Examiner's personal knowledge or judgment.

For at least the foregoing reasons, independent claims 1 and 10 are distinguishable over the prior art references.

Application No.: 10/055,545

Docket No: JCLA6997-R

Third, with respect to claims 6 and 13, the protrusions and the slits are not parallel. This can produce the different domains with respect to different view angles [0034]. The Office Action considered that this feature is well known and obvious. It is respectfully believed that this judgment is based on the Examiner's personal judgment or hindsight. Examiner should provide some evidences. Otherwise, an affidavit from the Examiner is respectfully requested.

For at least the foregoing reasons, Applicants respectfully submit that independent claims 1 and 10 patently define over the prior art references, and should be allowed. For at least the same reasons, dependent claims 2-9 and 11-16 patently define over the prior art as well.

Application No.: 10/055,545

Docket No: JCLA6997-R

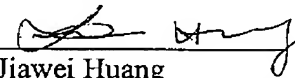
CONCLUSION

For at least the foregoing reasons, it is believed that all pending claims 1-16 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date : 11 / 7 / 2003

J.C. Patents
4 Venture, Suite 250
Irvine, CA 92618
Tel.: (949) 660-0761
Fax : (949) 660-0809

Respectfully submitted,


Jiawei Huang
Registration No.: 43,330